

Covid-19 student testing and the Christmas travel window

The government has issued its guidance on how University students will be able to travel home safely at Christmas.

18 November 2020

Please note: the information contained in this legal update is correct as of the original date of publication.

The government has issued its guidance on how University students will be able to travel home safely at Christmas.

Up until the 2nd December 2020, when the national lockdown is due to end, students will be expected to follow the restrictions in place. Thereafter a student travel window will open from 3 – 9 December 2020. During this window students will be allowed to travel home, when the risk of transmission of the virus should be relatively low.

Universities will be expected to work with other institutions in the same areas to ensure staggered departure dates within this student travel window to ease the congestion on transport.

Universities will also be expected to have moved learning online by 9 December 2020 so that students can continue their education at home. There should be no face to face provision after this date and the government has powers under the Coronavirus Act 2020 to give a temporary closure direction to an institution which will require them to take reasonable steps to secure that persons do not, for a specified period, attend premises of that institution. Failure to comply with such a direction could lead to a court ordered injunction.

In addition the government has announced that tests (lateral flow devices) will be offered to as many students as possible before they travel. The idea being that if a student tests positive for the virus then they can self-isolate and still make it home for Christmas. The tests are capable of turning around results within 1 hour at the location of the test but it is acknowledged that the test does not detect all positive cases and not all students will have access to the test.

In terms of actions and considerations for the HE sector following this guidance some are more obvious than others. For example:

- Where and how will lateral flow testing be provided to ensure the health and safety of those using the facility and working in the facility?
- What role will the University have in provision of suitable locations for the testing and what duties and liabilities could flow from that?
- Work with your colleagues, peers, local authorities, local public health officials and local transport companies to plan for the travel window.
- Liaise with governments in other countries to ensure that foreign students can travel home as safely as possible.
- Be prepared to cater for students who can't travel home and need to be in student accommodation or their student city over the Christmas period, including provision of mental health welfare support and access to food, medical and cleaning supplies.
- Communicate with students so that they can make informed choices about their plans for Christmas.

Universities might also want to start considering the following now:

- Ensure that students are still able to receive quality education via online platforms,
- Consider the role of the OfS in regulating standards,
- Listen to student feedback to avoid or deal swiftly with any complaints,
- Start to plan for a return in January 2021 both in terms of a resumption of face to face teaching but also for a continuation of the need to have blended teaching.

Contact



Stephanie McGarry

Partner

stephanie.mcgarry@brownejacobson.com

+44(0)115 908 4113

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